

from May 9 to May 18 and includes over 23 events are being held in ten cities across the East Bay, including in my district, to call attention to the need for affordable housing.

The health and economic stability of our communities depend on the availability of quality and affordable homes. Many non-profit and community organizations are continuing to address this need by providing homes and shelter for those in need. I believe strongly in the importance of these organizations, which provide affordable housing to our most vulnerable populations, including seniors, veterans, low-income families, the homeless, and those with disabilities. We must ensure that these organizations have resources and support in order to meet these critical needs.

Last November, I was proud to join with Habitat for Humanity to restore a house in Livermore for a local veteran buying a home for the first time. Habitat for Humanity East Bay/Silicon Valley prioritizes providing affordable housing opportunities for our veterans.

I also want to recognize Eden Housing as an inspiring example of affordable housing. Their new development, Emerald Vista in Dublin, has won a Charles L. Edson Tax Credit Excellence Award, given by the Affordable Housing Tax Credit Coalition. This award recognizes outstanding Low-Income Housing Tax Credit developments and honors the best in affordable rental housing.

Housing for those in need is a community-wide effort, and I am proud to represent a district with so many leaders working to assist individuals in need of supportive and affordable housing. These efforts bring us closer to creating kind of sustainable communities that are essential to the diversity and prosperity of California.

# INTRODUCTION OF A BILL TO FACILITATE INFRASTRUCTURE DEVELOPMENT AT AND POTENTIAL USES OF POINT SPENCER IN THE BERING STRAIT REGION OF ALASKA

**HON. DON YOUNG**

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, May 15, 2014*

Mr. YOUNG of Alaska. Mr. Speaker, today I am introducing legislation to facilitate infrastructure development at, and potential uses of, Point Spencer in the Bering Strait Region of Arctic Alaska by and for both the public and private sectors through fostering a public/private partnership among the Federal Government/the U.S. Coast Guard, the State of Alaska, the Bering Straits Native Corporation (BSNC) and industry.

I will be joined in co-sponsoring this bill by my friend, the Chairman of the Coast Guard and Maritime Transportation Subcommittee of the House Transportation and Infrastructure Committee, the Honorable Duncan Hunter.

What the Bill Provides: This legislation seeks to address the legitimate interests of the Federal and State Governments as well as the private sector in providing a means for future uses of Point Spencer by Federal, state, and private sector stakeholders for a variety of tasks and missions, including search and rescue, shipping safety, economic development, oil spill prevention and response, port of ref-

uge, arctic research, maritime law enforcement and related and other uses.

For the Coast Guard: The bill provides a footprint at Point Spencer that the Coast Guard has indicated that it needs to retain to support possible future uses of a portion of Point Spencer, a total of approximately 140 acres. That includes a major footprint on the water and the land on which buildings that the Coast Guard boarded up in 2010 are located, as well as rights to use at no cost the current and any future airstrips for Federal purposes. The bill provides that the Secretary of the agency in which the Coast Guard is operating could, instead of retaining the lands reserved for the Coast Guard, have those lands conveyed to BSNC and then leased at no cost to the Coast Guard by BSNC. Also, a federal Navigational Servitude is reserved for the Coast Guard to exercise upon tidelands and submerged lands.

For the State of Alaska: The bill provides for the conveyance of approximately 180 acres to the State, including the airstrip and a shoreline footprint on the water as well as a right-of-way should it decide to build a road in the future from the airstrip to the mainland across Coast Guard and/or BSNC land. The State would also have a choice of having the lands identified in the bill to be conveyed to the state, conveyed to BSNC instead and then leased back to the state at no cost to the state. The tidelands and submerged lands around Point Spencer would be recognized as having continued ownership by the State of Alaska as they were presumptively conveyed to the State under the Statehood Act.

For Bering Straits Native Corporation: The bill provides for BSNC to receive the remainder of the lands not set aside for the Coast Guard or the State and thereby to be able to serve in facilitating the future uses of Point Spencer. If the Coast Guard and the state prefer to have access to the lands through a lease arrangement rather than having them retained or conveyed as applicable, BSNC would receive the lands identified for Coast Guard or State use and then lease those lands back at no cost to the Coast Guard or the State. BSNC would have access to the airstrip but could be charged usual and customary landing fees to help defray maintenance and administrative costs associated with the operations of the airstrip. Provision is made in the bill to help ensure protections for archaeological and ancestral items of antiquity through the Archaeological Resources Protection Act of 1979, the National Historic Preservation Act, and the Native American Graves Protection and Repatriation Act.

Background: By way of background, Point Spencer is a small 2,600 plus-acre spit of land located in the Bering Strait region and was used for thousands of years by the Inupiat Eskimos and their ancestors and was the site of an ancient Inupiat village. Long before the coming of Europeans and Americans to this region, Point Spencer served as a major trading hub for the intercontinental movement of items among the indigenous groups of what is today, Alaska, and eastern Eurasia. With the "discovery" of whales north of Bering Strait in the 1840's by non-Natives, Point Spencer and adjacent Port Clarence, served as a safe harbor for the vessels of the American Whaling industry. In 1850–1852, vessels searching for the lost Franklin expedition over-wintered in Port Clarence. From 1865–1867 the area saw

activity related to the Western Union Telegraph project, an uncompleted plan to link North America with Russia across Bering Strait. Point Spencer-Port Clarence continued to serve as a major harbor for the Revenue Cutter Service (forerunner of the USCG) during the 19th and into the 20th centuries. Throughout this period of initial contact, the residents of Bering Strait provided food, safe harbor, and guiding services to the visiting EuroAmerican ventures.

Because of the use of this spit of land by indigenous Peoples, the ancestors of those who now comprise the BSNC, for thousands of years before contact by non-Natives, the land is of great importance archaeologically and culturally to Alaska Natives living in the region.

After passage of the Alaska Native Claims Settlement Act (ANCSA) in 1971, the purpose of which was to help settle aboriginal land claims of Alaska Natives and also help clear the way so that the Trans-Alaska pipeline right-of-way could be secured and the pipeline constructed in the 1970s, BSNC filed a selection to Point Spencer in 1976 as a 14(h)(8) selection under ANCSA. Key among the reasons for this selection by BSNC was the recognition of the historically strategic place of Point Spencer within Bering Strait history, and to help ensure that the artifacts and archaeological resources from their ancestors would be better protected and the land would be available for future purposes.

However, because Point Spencer had been withdrawn in 1962 from appropriation under the mining and mineral leasing and other relevant laws of the U.S. so as to permit the construction of a Coast Guard LORAN (Port Clarence long-range radar site) station in 1966 at Point Spencer, the lands were unavailable for BSNC to select or to use unless and until the U.S. no longer needed the lands for the LORAN site. Two years after BSNC filed its selection at Point Spencer, the State of Alaska in 1978 filed a selection application under the Statehood Act on most of the land there and then top-filed on the entire parcel in 1993.

In 2010, the LORAN site at Point Spencer (named the Port Clarence LORAN station) was closed, hardened and abandoned by the Coast Guard and LORAN was thereafter no longer utilized for navigation purposes. At that time, BSNC began to explore the potential for fulfilling its aspirations for selecting Point Spencer that began 34 (thirty-four) years earlier.

BSNC contracted in 2010 to have a geomorphic study of Point Spencer undertaken to determine the long-term stability of the landform. BSNC also conducted an economic study of the lands and began an analysis of the hazardous materials contamination that the Coast Guard generated during its years of operating the LORAN facility and cataloguing any necessary clean-up that would be required to make some of the abandoned site useable. Working with the shipping and response industry, BSNC has also begun developing a phased infrastructure development plan for the Point Spencer lands. Such infrastructure could play a key role in fulfilling the purposes outlined above as well as in enabling the U.S. to pursue and protect national security, transportation, and potential economic interests in the region as the sea lanes open up and natural resource development is considered in the Arctic.

Potential for Job Creation: The bill seeks to provide for public sector interests and at the

same time ensure that the priceless archaeological and cultural artifacts of the ancestors of the people of the Bering Straits region are protected, many of which artifacts have, unfortunately, been allowed to be taken and sold abroad during the years of use for the LORAN site and post abandonment. This would provide job opportunities for its people in a region where villages can face poverty rates of over 40% and where unemployment in some communities reaches nearly 50%. If wise use is made of this area, the essential needs of each stakeholder can likely be addressed.

Economic opportunity in this region of rural Alaska is an imperative to be achieved. Suicide rates among young rural Alaska Natives are extremely alarming and the Bering Straits region experiences that tragedy time and again. Much of the underlying cause of such tragic incidents comes from young people not having work and vocational training opportunities in an area their ancestors have inhabited for generation after generation. While development at Point Spencer would not be a panacea to all social maladies and challenges of the people of the region, it would be a remarkable and enlightened advancement for the people of the region and at the same time serve the federal and state interests and those of the private sector. And, in my mind, it is indefensible for those of us in leadership positions not to attempt to help address this scourge of suicide through sensible approaches to prudent use of lands such as is provided in this legislation.

National Security Interests Will Be Fully Supported: Whatever national security interests that may be involved ultimately with respect to Point Spencer and its future potential uses can be fully and responsibly dealt with

through the approach set forth in this legislation. Since its establishment pursuant to authorization by Congress under ANCSA and incorporated under state law, BSNC has carried out numerous contracts with the federal government that were/are directly tied to the national security interests of the U.S., and this Native Corporation has met the challenge fully and performed well. BSNC has the capacity and capability to support the advancement of U.S. national security, transportation, and economic development interests at Point Spencer. Relevant to this discussion, a recent report to Congress entitled "Feasibility of Establishing an Arctic Deep-draft Seaport", dated February 11, 2014, states: "The Coast Guard is currently engaged in negotiation to turn over most of this large parcel [Point Spencer] of property to the Bering Straits Native Corporation . . . . Another goal is to pursue innovative arrangements to support the investments needed in the Arctic region, including 'new thinking on public-private . . . partnerships.'"

The following is a list of a few of the types of federal and private sector contracts that Alaska Native Corporations, including BSNC, have been involved in over recent decades, including many with the Department of Defense and the various Armed Services of our nation including work on military bases and posts throughout the nation: Aircraft maintenance and support; aircraft refueling; aerospace engineering; Tactical gear manufacturing; survival training; winter warfare training; Intelligence analysis; BRAC management; Software design, implementation, and testing; Ship building, Ship repair, IT for various branches of the military service; Constructing landing strips; Base Operations Support, Avia-

tion Services; Research and Development; Engineering, Medical Staffing, Telecommunications, Cyber security; Security; Environmental remediation, Port and Harbor Operations; Healthcare Services; and Construction of a marine fiber optic subsea cable system to the nation's largest Coast Guard base to a Missile launch facility, to a major Alaska city and by microwave transmissions, to Alaska Native villages bringing high-speed, reliable, all-weather broadband to places that heretofore did not have access to such technology.

It is in part through such contract work that Alaska Natives have made incremental but significant progress in realizing the promise envisioned in the enactment by Congress of ANCSA. That work for Alaska Natives (and for other Native Americans in the country) has begun to help extricate their people from the vicious cycle of chronic and pernicious poverty, unemployment and lack of job opportunities for their youths, particularly in remote rural areas, and thereby help address some of the social ills that are associated with such conditions.

Conclusion: With the introduction of this legislation, and as it moves forward, the interests of all stakeholders interested in seeing that productive use is made of Point Spencer for diverse legitimate uses in the Arctic region can be fully met.

This approach is an equitable and sensible way to address the interests of the public and private sectors in Point Spencer. I believe that passage of the bill is in the best interests of our nation, the State of Alaska, the indigenous people of the Bering Strait region, as well as the private sector.